RE: Appropriate Penalties for Microsoft's Antitrust Law Violations
The following are the flaws that I see in the 'penalties' that essentially
seem to leave Microsoft better off than they were before the trial.
I do not see that Microsoft is penalized in any way in that there is no
separation of integrated software that harms and stifles competition to the
Microsoft operating system. Further I see no provisions for computer
manufacturers to be able to offer other and more viable operating systems in
a fair and price competitive atmosphere - essentially nothing has changed.
I do not see that the proprietary protocols for the operating system,
networking and other elements are to be made public in order that others may
have equal opportunity to develop applications in a spirit of healthy
competition and to encourage innovation. Microsoft appears to be allowed to
maintain the closed, proprietary and monopolistic systems that started this
process. Again it appears that nothing has changed and it will be business
as usual for Microsoft.
I am perplexed at the current 'penalties' being 'imposed' on Microsoft. They
seem to be more of an encouragement for Microsoft to continue in the same
ways it has been and those are the very same ones that brought this issue to
the DOJ in the first place. If these are implemented as currently stated
then fair business practices, innovation and competition are DEAD in the
computer field.
If Microsoft's agreements with computer vendors forced the vendor to
disclose to the computer purchaser the price of the Microsoft products
included, it would help consumers choose products and vendors that were
appropriate to their needs. Microsoft has stated concerns that selling
computers without operating systems equates to software piracy. This
assertion is absurd, and has become irrelevant with Microsoft's newest
release of Windows XP, which requires license activation. Having consumers
and end-users with more information is clearly in the public interest. All
of what is suggested here concerns supplying information that enables
computer users to make informed decisions, and to access their own work on
their own computer.
Another issue I have with the proposed settlement is the restrictions that
are placed on the entities with which Microsoft must share their API's. In
the explanations I have seen of the proposed settlement these entities are
restricted to 'commercial' ventures, implying for-profit status. This is
simply wrong and way too restrictive. I believe that to be truly effective
the parties with whom Microsoft should share their API's and the like should
be broadly defined, maybe something like 'any party or entity that could
potentially benefit from such information'. In other words this information
should essentially be in the public domain.
In order that Microsoft be brought into line and with any hope of curbing
their horrid business practices, it will take REAL penalties and serious
oversight. With the obscene amounts of money that Microsoft has managed to

accumulate through its less than fair business practices (to be kind) there
is some doubt as to whether that can actually be accomplished. It has become
quite obvious to anyone working in the field that there is no honor or
integrity in Microsoft, only the search for more money in complete disregard
for the good of the industry, the users and at this point in time it becomes
rather blatantly obvious that national security is at risk due to the poor
quality and serious lack of attention to security that is epidemic in their
products. That alternatives are few is a direct result of the issues that
DOJ is supposed to be addressing in this matter.

Microsoft products, by virtue of being a monopoly, have been designed
without concern for security or reliability. I can prove that the design of
Microsoft products leads to the spread of countless virii in the computer
industry. They (Microsoft products) are the perfect products to use to send
damaging virus from many groups like the terrorists from Afghanistan,
Israel, Palestine, Egypt.... And do not imagine that these places have not
already done damage.

And it is not only because Microsoft products are in such wide use, but the
real problem is that the products have been very poorly designed. It seems
Microsoft has enough money to do the job right, so the remaining reasons why
the products are so poorly written is that there is currently no need to be
'best of breed' when you are the only option.

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Jonathan D. Neufeld, Ph.D.
Assistant Clinical Professor of Psychiatry
UC Davis Department of Psychiatry
(916) 876-5149 voicemail
neufeldj@saccounty.net